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WASHINGTON
CIA
BY PATRICIA KOZA

In a rare public session, the Senate Intelligence Committee approved a bill Tuesday that would streamline the process by which the CIA makes available information under the Freedom of Information Act.

In a related action, the committee released an exchange of letters between Sen. Dave Durenberger, R-Minn., and CIA Director William Casey, in which Casey promised to set up a major new program to declassify documents considered of historical interest.

It was the first time since Reagan abolished compulsory declassification last year that the CIA has indicated a willingness to release at least some documents without a court order.

The legislation was the result of a compromise worked out between the CIA and the committee to improve the security of sensitive CIA files and cut down a tremendous backlog of Freedom of Information Act requests, while still maintaining public access to virtually all material now released by the agency.

Supporters said the bill will only restrict the type of information the CIA would have to search in response to the legal requests. Much of it is classified and the agency will not release it in any case.

A similar bill has been introduced in the House by Rep. Romano Mazzoli, D-Ky.

The CIA sought an exemption from the search procedures because it was creating an enormous administrative burden, with some requests taking as long as three years to fulfill when the time limit for compliance is 10 days.

As part of the compromise, the CIA agreed to retain financing of its information office at the current level to attack the backlog.

The legislation, sponsored by Sen. Barry Goldwater, R-Ariz., would exempt from public access all "operational" files -- the CIA's most sensitive files.

Operational files deal with actual CIA activities such as foreign intelligence, counterintelligence and counter-terrorism; operations and investigation of potential sources in those areas, and relationships with foreign governments and intelligence services.

Historians and journalists claim the exemption is large enough to allow the CIA to withhold information indefinitely.

In Casey's letter, he agreed to set up a major new program to declassify historical documents.

"If Congress is willing to provide the resources," Casey's letter said, "I am prepared to institute a new program of selective declassification review of

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those materials that we believe would be of greatest historical interest and most likely result in declassification of useful information."

Under the program, files designated "operational" would be reviewed at least every 10 years and such review would "take account of historical research interest and other public interests."

Historians had demanded a time limit of 30 years.

A spokeswoman for the Reporters Committee for the Freedom of the Press said the committee so far has opposed any new information act exemptions for CIA, but has not taken a position on the latest compromise.

ASSOCIATED PRESS

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WASHINGTON

SENATE PANEL VOTES TO BAR ACCESS TO SOME CIA FILES

BY MIKE SHANAHAN

The Senate Intelligence Committee voted unanimously Tuesday to bar access by journalists, authors and historians to some secret CIA files under the Freedom of Information Act.

"This will satisfy both the CIA's interests and the public's right to know as much as possible about their government," said one committee member, Sen. Walter Huddleston, D-Ky.

The legislation was approved only after CIA Director William Casey agreed to accept changes intended to prevent agency officials from using it to cover up intelligence abuses or to keep secret information of legitimate historical interest.

Casey once called for doing away completely with the Freedom of Information Act, which provides a mechanism for U.S. citizens to obtain information about the operations of all federal agencies.

The CIA had sought exemptions from the eight-year-old law on the grounds that the statute's requirements were burdensome and expensive and could lead to the inadvertent exposure of sensitive information about CIA covert operations.

As approved by the committee, the proposal would allow CIA officials to set aside some operational files now subject to Freedom of Information Act requirements. Such requirements are "imposing unique and serious burdens on this agency," according to the legislation.

The committee chairman, Sen. Barry Goldwater, R-Ariz., said, "An experienced person must go through stacks and stacks of these papers _ sometimes many feet tall _ to justify why almost every single sentence should not be released."

The law requires the CIA to review any files sought by a taxpayer and provide an explanation why they cannot be released, even though many of the requested documents concern intelligence methods and operations which are legally out of bounds.

The committee measure would allow operational files to be exempted, but permit persons seeking information to protest to a federal judge if they believe the CIA is using the exemptions improperly.

In addition, investigators of alleged CIA abuses would be granted access to CIA operational files, even if they are exempt under the new proposals.

Eventually, files on CIA operations would become available to historians, but only after there was no risk of exposing CIA agents or methods of operation.

Morton Halperin of the American Civil Liberties Union said the new version of the proposal was a big improvement, although the ACLU will seek further safeguards against CIA cover-ups.

Goldwater said it was unlikely the legislation would reach the Senate floor until after Congress returns from a Columbus Day recess in mid-October.

REUTERS
4 October 1983

WASHINGTON
DOCUMENTS

The CIA, under prodding from Congress, today agreed to establish a new program to declassify historical documents.

Meanwhile, the Senate Intelligence Committee approved unanimously and sent to the full Senate a bill designed to ease the burden on the CIA of public requests for access to intelligence papers and data.

The simultaneous actions represent related attempts to respond to CIA complaints that public requests for documents under the Freedom of Information Act were overwhelming and to congressional concerns that public access to important CIA papers not be unduly restricted.

A spokesman for the American Civil Liberties Union welcomed the new CIA declassification program for historical papers and expressed qualified support for the committee-approved bill.

The organization, which lobbies on civil rights and free speech issues, still had problems with the legislation but believed it reflected substantial progress over earlier versions, an ACLU spokesman said.

CIA Director William Casey agreed to establish the new declassification program at the urging of Minnesota Republican David Durenberger, a member of the Senate Intelligence Committee.

"It would demonstrate your commitment to openness in the things that matter while continuing to safeguard that which must remain secret," Durenberger told Casey.

Casey said the program would focus on 20-30 year old files.

Of the Senate bill, Kentucky Democrat Walter Huddleston said: "I am satisfied it will serve both the CIA's operational interests and the public's right to have as much information as possible about their government."

The ACLU was particularly pleased by an amendment to the bill ensuring that people with evidence of the CIA's improperly classifying files could ask a court to review the matter, a spokesman said.